IFW

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Chen et al.

Serial No.: 10/628,984

Filed: July 28, 2003

For: INJECTABLE MULTIMODAL

POLYMER DEPOT COMPOSITIONS AND

USES THEREOF

Confirmation No.: 7536

Examiner: Unknown

Group Art Unit: 1615

Attorney Docket No.: ARC 3119R1

(3139-6226.1US)

CERTIFICATE OF MAILING

I hereby certify that this correspondence along with any attachments referred to or identified as being attached or enclosed is being deposited with the United States Postal Service as First Class Mail on the date of deposit shown below with sufficient postage and in an envelope addressed to the Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

August 4, 2006

Date

Timothy Palfreyman

Name (Type/Print)

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In compliance with the duty to disclose information material to patentability pursuant to 37 C.F.R. § 1.56, it is respectfully requested that this Supplemental Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 or PTO/SB/08 be considered by the Examiner and made of record. Copies of any cited foreign patents, publications, or pending unpublished U.S. applications are enclosed pursuant to 37 C.F.R. § 1.98(a)(2).

Serial No. 10/628,984

In accordance with 37 C.F.R. § 1.97(g) and (h), filing of this Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made or an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b). Further, no representation is made by Applicants herein that no other possible material information as defined in 37 C.F.R. § 1.56 (b) exists.

Foreign Patent Documents

Document No.	Publication Date	<u>Patentee</u>
WO 02/45689 A1	06/13/2002	Seo et al.

Other Documents

JAIN, Rajeev A., "The manufacturing techniques of various drug loaded biodegradable poly(lactide-co-glycolide) (PLGA) devices," Biomaterials 21: 2475-2490 (2002).

RIVIVARAPU et al., "Polymer and microsphere blending to alter the release of a peptide from PLGA microspheres," European Journal of Pharmaceutics and Biopharmaceutics 50: 263-270 (2002).

International Search Report, dated February 9, 2004 (4 pages).

Applicants offer to supply any explanation or discussion of the documents which the Examiner feels is necessary or desirable and which is requested.

Serial No. 10/628,984

This Supplemental Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits.

Respectfully submitted,

Edgar R. Cataxinos Registration No. 39,931 Attorney for Applicants

TRASKBRITT P.O. Box 2550

Salt Lake City, Utah 84110-2550

Telephone: 801-532-1922

Date: August 4, 2006

ERC/dlm:tp

4

Enclosures: Form PTO-1449 or PTO/SB/08

Cited Non-U.S. Patent Documents

Document in ProLaw

PTO/SB/08A (10-01)

Approved for use through 10/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE verwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO Complete if Known Application Number 10/628,984 INFORMATION DISCLOSURE Filing Date July 28, 2003 STATEMENT BY APPLICANT First Named Inventor Chen et al. Group Art Unit 1615 (use as many sheets as necessary) Examiner Name Unknown ARC 3119R1 (3139-6226.1US)

Attorney Docket Number

Sheet

Examiner Cite Initials • No.	l	Document Number	Publication Date	Name of Patentee or Applicant of	Dear Column Lines When D.
	Number - Kind Code ² (if known)	MM-DD-YYYY	Cited Document	Pages, Cohumns, Lines, Where Relevant Passages or Relevant Figures Appear	
		US-			
		US-			
		US-			-
		US-			
		US-			
		US-			
.,		US-			
	L	US-			
	I	US-			
		US-			

FOREIGN PATENT DOCUMENTS						
Examiner Cite No. 1	Foreign Patent Document		Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines,		
	Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY		Where Relevant Passages or Relevant Figures Appear	T ⁶	
		WO 02/45689 A1	06/13/2002	Seo et al.		
	ļ	<u> </u>				
	-					
	ļ					

	1.1	
Examiner Signature	Date Considered	

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at <u>www.uspto.gov</u> or MPEP 901.04. that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

PTO/SB/08B(10-03) Approved for use through 7/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Substitute f	or form 1449A/PTO)			Complete if Known
INIEO		NI DICA	OF OCTION	Application Number	10/628,984
	· ·	_	CLOSURE	Filing Date	July 28, 2003
STATEMENT BY APPLICANT			PLICANT	First Named Inventor	Chen et al.
				Group Art Unit	1615
	(use as many s	heets as nec	essary)	Examiner Name	Unknown
Sheet	2	of	2	Attorney Docket Number	ARC 3119R1 (3139-6226 IUS)

NON PATENT LITERATURE DOCUMENTS				
Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²		
	JAIN, Rajeev A., "The manufacturing techniques of various drug loaded biodegradable poly(lactide-co-glycolide) (PLGA) devices," Biomaterials 21: 2475-2490 (2002).			
	RIVIVARAPU et al., "Polymer and microsphere blending to alter the release of a peptide from PLGA microspheres," European Journal of Pharmaceutics and Biopharmaceutics 50: 263-270 (2002).			
	International Search Report, dated February 9, 2004 (4 pages).			
		-		
		Cite No. Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. JAIN, Rajeev A., "The manufacturing techniques of various drug loaded biodegradable poly(lactide-co-glycolide) (PLGA) devices," Biomaterials 21: 2475-2490 (2002). RIVIVARAPU et al., "Polymer and microsphere blending to alter the release of a peptide from PLGA microspheres," European Journal of Pharmaceutics and Biopharmaceutics 50: 263-270 (2002).		

Examiner	 Date	
Signature	Considered	

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.